

English and Scots Counties send Members - - - 713
English and Scots Boroughs send Members - - - 430

558

New Members for both 218

Of which in place of Conventioners - - - 118
In place of those of the Country Interest - 83
In place of Absents at the Convention-vote - 17

218

Conventioners rechosen - - - 166
Of the Country Interest rechosen - - - 173
Absents at the Convention-vote rechosen - 32
Controverted Elections for Scotland - - - 5

340

558

Excise Voters rechosen - - - 136
Against ditto rechosen - - - 99

F I N I S



A 6
R E P L Y

TO THE *Pam 68*

C A S E

OF

ALEXANDER MURRAY, Esq;

In a Letter to that HONOURABLE

GENTLEMAN

Antoni in fero

Aude aliquid brevibus gyris et carcere dignum,
Si vis esse aliquis. *Juv.*

Multa sunt occulta reipublicæ vulgata, multa nefario-
rum circum pernicioſa conſilia. Nullum externum
periculum, non rex, non gens ulla, non ratio per-
tinendiſſima eſt. Incluſum malum intellintum ac do-
mesticum eſt huic pro ſe, naſcuſque noſtrum me-
deri, atque hoc omnes ſanare velle debemus.

Cic. Agrar. l. c. 19.

Reipublicam ſervato.

L O N D O N:

Printed for H. CARPENTER, in Fleet-ſtreet.

(Price One Shilling.)



REPLY, &c.

SIR,

I Have perused, I will not say with what Pleasure, but certainly with much Admiration the Representation you have been pleased to make of your Case. And as it is evident the same worthy Motives influenced this as well as every other Part of your Conduct, you must excuse me, if I attempt to rescue it from the false Colours you have thrown over it, in that notable Piece, and place it before the World in its own naked Complexion and in a genuine Point of View.

This I should have attempted before had I not been in Expectation of seeing it performed by some more masterly Hand: But as these Expectations are disappointed, and as you and your Partizans industriously labour

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to

to persuade the World, that the being *un-answered*, and the being *unanswerable* are the same Thing : And as in Consequence of these Artifices, the Contagion you have circulated becomes every Day *riper* and more malignant, I can no longer restrain myself from applying some Antidote to them.

As you cannot but be conscious, that the unexampled Insolence and Contumacy with which you behaved to the most august Assembly in the World, merited the severest Punishments that illustrious Body could inflict; and by consequence that the Hardships you complain to have suffered under, would be deemed by all the unprejudiced Part of Mankind far beneath your Crimes; you endeavour, artfully enough, to infuse into them a Belief, that they have been imposed on by *a false Representation of your Offence*. In order to this, you assert with an uncommon Hardiness, that * “ whatever may have
 “ been the Pretence of vindicating the Ho-
 “ nour and Dignity of a particular House, it
 “ will too plainly appear, that greater Re-
 “ gard has been had to support the private
 “ Pique, and personal Resentment of a certain
 “ turbulent Statesman, whose Ambition,
 “ impatient of Controul, and whose Avarice
 “ abhorrent of Expence, determined him
 “ to offer up some exemplary Sacrifice to his
 “ devoted

• See Case, Page 4.

“ devoted Thousands, and an impious Opposition to his all-sovereign Commands.”

I pass over your indecent Treatment of the truly noble Personage here intended, as his Character both in publick and private Life, is too firmly established to be hurt by the impotent Attacks of so puny an Assailant. Only thus far I cannot but go: It is to his perfect Knowledge of the real Interests of his Country, and his unwearied Assiduity and Perseverance in making Provision for them, that we are indebted for the many important Successes we obtained by our Marine in the Course of the last War. But it is this Knowledge, and this Perseverance, that engaged you to calumniate and vilify him. These are Things you can never forgive.

As to the Declaration itself, nothing could be more ingeniously conceived for your particular Advantage. For by this dextrous Piece of * “ Legerdemain the Accuser becomes the Accused, and the Judges are “ conjured into the Place of the Culprit.” — This being once established in the Minds of your Readers, we are not to wonder when you assert, that unless we rise up to avenge your Wrongs, we shall appear to have *made a Resignation of our Liberties*, unless we drag our Representatives from their Seats, and glut our Swords in their Blood, we shall no longer Merit the Name of Freemen; and

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not

not only so, but may expect to be torn by a Legislature, who have acted rather like a *Turkish Divan* than a *British House of Commons*, from our dearest Connexions, and without any Crime appearing against us, be thrown into a * *loathsome Prison appropriated for the Reception of Thieves and Murderers, with every other Species of the vilest and most profligate Offenders.*

But halt a little good Sir,—Before we list ourselves under your Banners, and become the Co-adjutors of your Resentment, give us Leave to enquire whether the *Grievances and tyrannical Acts of Oppression* you so loudly complain of, are really such, and have been exercised, as you say, wantonly and unjustly by a *sporting Legislature*, or whether they are such legal Punishments as have been ever deemed, not only by those within Doors, but by every sober and thinking Set of Men without, necessary, indispensably necessary for the Maintenance of Order, the Preservation of the uninfluenced Freedom of Elections, and the Support of the Dignity of the Commons of *Great-Britain*, to be inflicted on the contumacious and daring Delinquent.

You set out with observing †, “ That
“ at the last General Election, the most
“ noble Person above hinted at, though possessed of a Seat in one House, undertook
“ (con-

* Case, Page 21.

† *Ib.* p. 4.

“(contrary to the Essence of a *British* Parliament) to thrust a certain Member into the other.” But what Proof have you for this Assertion? What Evidence to produce in Support of it? If you have any, lay it fairly before the Publick, and they will be able to judge for themselves. But if you have none, your meer Affirmation will have but little Weight. Some less disputable Authority will be demanded, to procure the Assent of the impartial Enquirer after Truth, who will justly think himself under no Obligation to subscribe to every Article of the political Creed you may please to impose upon him. We have seen already, and in the Course of your Answer it will most clearly appear, that your single Testimony is not always to be implicitly relied on.—The Fact before us is as follows.

Upon the Dissolution of the last Parliament, the principal Inhabitants of *Westminster* warmed with the irreproachable Integrity, joined with the most consummate Abilities of which his Lordship had even then given such illustrious Displays, voluntarily solicited Lord *Trentbam* to represent them. His Lordship accepted their Invitation, and accordingly with another Gentleman of distinguished Worth offered himself a Candidate at the ensuing Election. As this was a Measure which seemed so very salutary to the Publick, it could not but alarm the Enemies

mies of the Constitution. And we find it did so. For though they were sensible that they were too feeble to prevent its taking Place, yet they were determined to give it all the Obstruction possible, by opposing, thwarting and contradicting such as should be engaged in the Execution of it. In Pursuance of this righteous Intention these *honest honest* *Iagoes* nominated two other Gentlemen Candidates in the Opposition. But as the Principles of these worthy Gentlemen were too notorious to permit any but the avowed Enemies of the present happy Establishment, to engage in their Support, they were soon drove from the Hustings, not as you suggest, *by the efficacious Discipline of Club-law*, but by the Consciousness of the Badness of their Cause, and the Resentment they so justly merited from a Set of People who had those Principles in due Abhorrence, and could not but feel the Indignity that was offered to them, by a Handful of desperate and daring Incendiaries. That this is a genuine and impartial State of the Case, I appeal to every honest and intelligent Elector in this City.

Of the other Transactions relating to the Election, as they are calculated meerly to inflame the Animosity of Parties, and are perfectly foreign to the Matter in Hand, I shall take no Notice. One Thing however must not be passed over; you pretend that
your

your late Prosecution is entirely to be charged on the Vigour and Perseverance for which you signalized yourself so greatly at this Time. But how does this appear? Why truly Mr. *Murray* opposed Lord *Trentham* at the General Election, but finding that a legal, and *constitutional* Opposition would be but of little avail, proceeded to many flagrant Acts of Violence against his Adherents, for which he is cited to answer before a Court of Judicature. But the Jury unwilling to exasperate a Set of Men who they were sensible would go any Lengths to satiate their Revenge, though it were to plunge a Dagger in the Breast of their Country; and desirous that the Spirit of Party, which then so much prevailed, should subside and die away, permitted him to escape with Impunity. This worthy Gentleman unwilling to attribute his Acquittal to its genuine Motives, or perhaps imagining that the Hand of Justice was too short to reach him, was determined to indulge himself in the full Gratification of his Malice whenever such another tempting Opportunity should present itself. And accordingly at the last Election he proceeded to such insolent Lengths, that the Legislature could not, without violating the Regard they owed to their own Honour, and the Interest of the Community, pass them over unnoticed.

Upon

Upon his Majesty's advancing Lord *Trentham* to the Admiralty-Board, the Faction, which had been for some Time Crest-fallen, erected their Heads, their drooping Spirits revived, and they began to entertain Hopes that an *Æra* was now approaching, wherein by the Accomplishment of their Wishes, they should be amply recompensed for the Mortification they had hitherto suffered in the Disappointment of them. And in order to this, their Invention was racked to furnish them with some Expedient to hurt the noble Lord, in the Opinion of his Electors, and so effectually prevent his Return to that Seat, which he had filled with so much Honour to himself, and so much Benefit to the Community. Luckily the Conjuncture furnished them with one which seemed to bid fair for Success. A Company of *French* Comedians was then lately arrived at the Capitol, and had fixed a Day for exhibiting their Performances: This Incident gave great Disgust to the People in general, and a very considerable Party was formed to interrupt them; the Time of the Representation came, the House was crouded, and a Riot ensued. Lord *Trentham* happened to be present, but without engaging either on the one Side or the other. However as it could not be denied that he was in the Theatre, it was no difficult Matter for a fertile Invention to embellish that single Fact.

Fact with such additional Circumstances as should promote any End they had in View by it. In consequence of this, in a few Days out came a Narrative, wherein it was declared, that the noble Lord abovementioned, notwithstanding the high Displeasure he must be sensible such a Proceedure would incur from his Constituents, supported the *French Strollers* in Person, and even drew his Sword in their Defence. And lest this should be destitute of its intended Effect, a pretended Affidavit was published in the daily Papers, asserting, that that Nobleman employed a Waiter at the *King's-Arms Tavern, Pallmall*, to enlist certain Men in the Service of the Company, who should defend them against all Interruption, and armed them with Bludgeons, &c. for that Purpose. It being obvious from this Piece of Finesse, that the Party would hesitate at no Means, how iniquitous soever they should be, that promised the Completion of their Intentions. Our noble Candidate thought he should be deficient to his own Character, and in the Regard which he owed to his Constituents, if he any longer neglected to set forth the Affair which was imputed to him, as such an high Offence, in its genuine Light; and accordingly his Lordship denied upon his Honour, the Assertion contained in that Affidavit, and besides this, offered a Reward of fifty Guineas to any Person that would produce

duce the Original; but as that Original nor the Person who made it never appeared, the Artifice became too notorious not to be discerned even by Men of the slowest Capacities, especially too, as the Waiter who was said to have employed and paid the Men reported to have been raised in Support of the Comedians, declared upon Oath, that every Circumstance contained in that Paper was utterly false and groundless—not that it was entirely without Effect: It had already imposed upon several, the Faction had taken Advantage of the Imposition, and in consequence thereof engaged them so far, that they were unable to recede; others again who were not imposed on yet, pretended to be so, as it served them for an Excuse for abetting a Party with whom their Inclinations indeed tempted them to join, but with whom nevertheless Shame at least, had it not been for this Excuse, would have kept them back from joining.—I have dwelt the longer on this Head, as it plainly evinces, that it was not out of Resentment at the Behaviour of a noble Duke, nor yet from any Disinclination or Disesteem the People had for Lord *Trentbam*, but merely from the iniquitous and artificial Dealing of your Party, that any Opposition was at first set on Foot, much less carried on with any Prospect of Success against him. The ample Explanation of this Point was necessary too,

as you endeavour with equal Meanness and Disingenuity *, to renew the Falshood, though you cannot but be conscious that it is such.

Many more Instances of your Justice and Candour in the Representation you have given us of your Conduct might be easily produced, but this Abstract is abundantly sufficient to convince every unprejudiced Reader of your inviolable Regard to Truth, which you would be thought so rigidly to maintain. I shall forbear therefore accumulating any further Specimens of this Sort, and pass on to consider the Accusation brought against you at the Bar of the House of Commons, and in consequence of which, Sentence of Imprisonment was passed on you; and here I shall not mention your decent and Gentleman-like Treatment of that venerable Body whom you represent as the *Tools of a Party, utterly deficient in Wisdom, Justice, Moderation, and Candour*; but proceed to consider the Matters of Fact themselves which you give us, as you profess, with much Impartiality.

“The Inhabitants of *Westminster*, say you,
 “alarmed at the unconstitutional Proceed-
 “ings carried on during the late Election,
 “and exasperated to find a Representative
 “imposed on them by the dictatorial Au-
 “thority of one *Man* in Opposition to a
 C 2 scru-

" scrutinized Majority, had Recourse to the
 " House of Commons, flattering them-
 " selves, that august Assembly would vindicate
 " their invaded Rights and Liberties;
 " nor suffer the Invaders to escape with Impunity;
 " accordingly a Petition was presented,
 " complaining of a false Return. —
 " The d—— Faction conscious of their
 " illegal Practices, and apprehending that a
 " Detection of them would inevitably be the
 " Consequence of a *free* Enquiry into the
 " Merits of the Election, determined at all
 " Events, to put a Stop to the Prosecution
 " of it, and in order to strike the Petitioners
 " with Terror, prevailed on their trusty
 " Friend, the High Bailiff, to assume the
 " laudable Character of Informer, and complain
 " of some high Crimes and *Misde-*
 " *meanours* committed against his sacred
 " Person; but the more effectually to answer
 " the Purpose, took especial Care that
 " the Objects of this Complaint should be
 " some *principal Witnesses* in Support of the
 " Petition. However, as the Accusation against
 " the High Bailiff was antecedent to
 " his Complaint, it was thought in Point
 " of Regularity and Justice, that the *latter*
 " should be postponed till the Determination
 " of the *former*, more particularly as the
 " Offences alledged to have been committed
 " against the Magistrate must necessarily appear
 " upon hearing the Merits of the Petition.

"petition. This having produced a Debate,
 "and the Speaker being called upon to give
 "his Opinion in Point of Form and
 "Order, he declared, that to begin by
 "Enquiry into the Complaint of the High
 "Bailiff, was not only contrary to the Order
 "and Method of proceeding in that House,
 "but of every other Court of Justice; and
 "inconsistent with Justice itself. Though
 "these Reasons might have some Prevalence
 "with Part of the House, nevertheless a
 "Majority determined, that the High
 "Bailiff's Complaint should be first heard,
 "which if not sufficient to terrify the Pe-
 "titioners from Justice, would at least pro-
 "duce the convenient Effect (to speak in
 "the Phrase of an inferior Court) of sinking
 "some material Part of the Evidence. Thus
 "by a Kind of parliamentary Legerdemain,
 "the Accused became the Accuser, and the
 "Witness had a cruel Mortification to find
 "himself conjured into the Place of the
 "Culprit." Such is your Account of this
 Matter, but the real one is as follows.
 When the Jacobite Faction, whom you
 are pleased to call the Inhabitants of *West-*
minster, found that the repeated Artifices
 they had made use of, and the many Ca-
 lumnies they had invented, were destitute
 of the desired Effect, and that Lord *Tren-*
tham, in spite of all their Artifices, was
 voted by a scrutinized Majority, Member
 for

for that City; they lost all Remains of Temper, and burst out into bitter Revilings against his Lordship, the High Bailiff, and every other Person that was concerned in the Election; and being resolved to die hard, agreed to petition the House of Commons, complaining of a *false Return*; not but that they themselves were satisfied of the Justness of the noble Lord's Title to his Seat, but they hoped by this Perseverance to prevent others from being so: *Who could be so hardy as to run such Lengths, had they not Justice on their Sides?* The Insinuation was plausible, and they doubted not to pass it on many for unanswerable. Besides should they withdraw their Petition, as we see they did, before the Merits of it should come to an Hearing, it was but complaining that they found themselves overborne by the Torrent of Party, and the Business was done. Or had they even pursued their Enquiry, and Lord *Trentham's* Election received a Confirmation from the Suffrages of that illustrious Assembly; yet, even in these Circumstances they were not entirely without Resort: How easy was it to recur to that hackney'd Topic, they had for many Years so pompously declaimed on, Corruption? How little difficult was it to represent the Majority of the House, as a Pack of Mercenaries, under the undue Influence of the Ministry, and utterly deficient in *Wisdom, Justice, Moderation,*
and

and Candour ? These Artifices could not but be well entertained by many ; the Ignorant and Incurious, the Indolent and Unwary, not to mention the Factionous and Disaffected, are no small Proportion of Mankind : And by these they doubted not to make themselves esteemed the Assertors of our Rights, the Guardians of publick Liberty. Upon these Views then a Petition was drawn up and presented to the House of Commons ; on this Occasion the High Bailiff, on whom several Aspersions had been very industriously thrown for protracting the Return, as it was pretended on interested Views, impatient of manifesting his Innocence, as every honest Man in his Circumstances would have been, gave as Reasons for that Protraction, that he was obstructed in the Execution of his Office, and preferred his Complaint against you, Most Heroic Sir, and some others of less Consequence on that Account.

But is there any Room from hence to conclude, that he was *prevailed* upon to take these Measures, in order that all further Enquiry into the Merits of the Election should be dropped ? This certainly is arguing at a high Rate of Inconsequence : Shall a Gentleman see himself attacked in the tenderest Part of his Reputation, without attempting to purge himself of the Crimes laid to his Charge ? or shall such an Attempt be wrested into a fraudulent Design of stifling a free Enquiry, lest

left the Detection of his Guilt and that of
 his Associates should be the Consequence?
 Is not the contrary notorious? Is not this very
 Attempt the most Opposite Means of pro-
 moting a free Enquiry, and will not his
 Guilt, if he indeed is guilty, appear evidently
 in the Course of it? But you say, " That
 the Accusation brought against him, should
 have been *first heard*," and the Reason
 you give for it is, " because it was made
 antecedent to his Complaint." Now, not
 to insist that the House of Commons in Vir-
 tue of the large and almost unlimited Powers
 vested in it by the Constitution, is above be-
 ing tied down to the inconvenient Usages and
 punctilious Forms of Law, but may pursue
 what Method of Enquiry they shall deem
 most eligible, especially in Matters so appro-
 priated to their Cognizance as Elections con-
 fessedly are; I say not to insist upon this, I
 think, that the Method of Enquiry you pro-
 posed, could not have been pursued without
 violating that Regularity and Justice you
 would be thought so strongly to patronize.
 — The Return of a Member to serve in
 Parliament was delayed, the High Bailiff
 was complained of for that Delay: Was it
 not therefore strictly consonant to Regularity
 and Justice, that his Complaints which re-
 garded the Return itself, should be brought
 to an Hearing previous to those of your Party,
 which regarded only the Merits of that Re-
 turn?

turn? Or rather would not any other Method of Enquiry, but that fixed on by the honourable House, have been manifestly irregular and unjust? I appeal to every unbiassed Person in *Great Britain*, nay, even to your own Heart for the Truth and Force of what I say. What Room then is there for the Aspersions you endeavour with your usual Malice and Senrrility, to fasten on that august Body? Is there any Colour for asserting that this Method was pursued with an Intent of *terrifying the Petitioners from Justice*, or at least, of *sinking some material Part of the Evidence*. How infamous is this Representation! how false the Conclusion!

In consequence then Sir, of the Commons Determination, "you was brought to the Bar, where in Support of the Charge exhibited against you by the High Bailiff, the following Witnesses were produced; and first Mr. *Baldwin* Deputy Bailiff, and his Son appeared, who declared,

"That Mr. *Murray* came to their House
 "and said, that he was resolved the
 "High Bailiff should not smuggle an
 "Election, and that he and a Thousand
 "more had sworn, he should make the
 "Declaration in the Middle of *Covent-*
 "Garden.

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" The

" The Truth of the former Part of this
 " Accufation you fay you was ingenuous e-
 " nough to confefs," which you feem to think
 you might do with much Safety, as in your
 Sense it contained nothing whereon to found
 the Imputation of a Crime, and at the moft
 amounted only to the " meer faying a Man
 " fhould not do, what he ought not to do."
 But in whatever Light this notable Declara-
 tion might appear to you, it is conftrued by
 every impartial Hearer, and without Quef-
 tion was fo by thofe to whom it was deliver-
 ed, as an absolute Menace, a downright De-
 nunciation of Vengeance againft the High
 Bailiff, unlefs he fhould return whomfoever
 you, by the *dictatorial Authority* you had
 affumed, fhould please to appoint. And
 therefore it is not the " faying a Man fhould
 " not do what he ought not to do," but
 threatening that if a Magiftrate *fhould* do what,
 by all the Ties of Honour and Honesty and
 by the Obligation of the moft folemn Oaths,
 he is bound *to do* he may expect to be male-
 treated for it, that is a *Crime to which the*
Legiflature have thought proper to annex a
Penalty. " With Refpect to the other
 " Part, you fay, Mr. *Gascoign* and Mr.
 " *Carne* the High Conftable, Gentlemen
 " entirely difinterested, testified, that they
 " were prefent, and he heard the former
 " Words, yet they *never heard the latter*
 " *Expreflion.*" But in order to have ren-
 dered

dered their Evidence of any Use to you, they should have declared peremptorily, that you did not make Use of those Expressions. Had this been done, the Matter in Dispute must have depended entirely on the Character of the Witnesses for its Decision, either in your Favour or Disfavour. But as no such Attempt was made, the Testimony of Mr. *Baldwin*, &c. remains obviously uninvalidated; and we have all possible Reason to believe that you did make Use of those Expressions. But you say, "what afforded the strongest presumptive Evidence against such a Declaration was, that it evidently appeared that no such Purpose was ever intended to be executed, or how easy would it have been for Mr. *Murray* with his thousand Volunteers to have secured the Person of this Magistrate when he met him going to the Hustings, unsupported by a single Peace-Officer, or any other Attendant."

— To this it is answered, that at a small Expence of Thought, you must discover, that any violent Measures would have infallibly ruined the Cause you intended to support by them. For, admitting that the High Bailiff, intimidated by your illegal Attempts, had made the Return contrary to the Dictates of his Honour and Conscience, in your Favour, you could not but be aware that an Appeal lay to the House of Commons, who were bound to set it aside, as it would have

evidently appeared to have been extorted by the most infamous and unprecedented Male-Practices; and consequently, that the heaviest Punishments they could inflict would avail you and all that were engaged in the Execution of them. Besides it was far from improbable, had you made the Attempt, but that it had failed of Success: Could the Body of the Electors of this City tamely behold their Liberties trampled on, their Privileges invaded, and their dearest Rights violated, without rising up in their Vindication? Or supposing that they would have been so supine and spiritless as to have made no Opposition, or that if any Opposition had been made, you would have been able to have surmounted it; yet, what Reason had you to hope, that a Gentleman, who even by your own Account, had acted during the whole Course of the Election, with the strictest Impartiality, and the most unalienable Attachment to Justice, would be tempted to forfeit the illustrious Character he had so universally established, by the Menaces or actual Insults, had you dared to proceed to them, of a few desperate Ruffians? In any of these Views then violent Measures must in the Nature of Things, have been the Destruction of your Cause; not only as they would have exposed the Rottenness of it, but as they would have effectually precluded that Application to Parliament which was
to

to produce the notable Effects abovementioned. But you proceed : “ In order to
 “ turn the Scale entirely in Favour of Mr.
 “ *Murray's* Innocence, the High Bailiff
 “ himself was candid enough to acknow-
 “ ledge at the Bar,—that meeting Mr.
 “ *Murray* in his Way from *Baldwin's* to
 “ the Hustings, upon being asked the
 “ Question, he did then declare, that no
 “ Man could behave with more good Man-
 “ ners towards him than Mr. *Murray*.”
 —But this artificial Candour is easily ac-
 counted for ; many excellent Purposes were
 intended to be answered by it : You were
 sensible, that by a little dextrous Manage-
 ment, you could pass it on the World for a
 firm Reliance on the Justice of your Cause.
 “ Mr. *Murray* had at that Time, no Reason
 “ to shew any Resentment to the High
 “ Bailiff, he was sensible the Person whose
 “ Interest he espoused, had a large Majority
 “ on the Scrutiny, and therefore could not
 “ apprehend a Return should be made in his
 “ Prejudice. Why then should he behave
 “ but with Civility and good Manners to
 “ the High Bailiff, when he met him going
 “ to the Hustings ?” This I know has been
 said, and therefore I think, we may without
 Breach of Charity, conclude, that the civil
 Behaviour of yours, on which you so strongly
 insist, was purposely worn by you, that it
 should be said. — Besides should the De-
 claration

claration you had made a little *mal a propos* at Mr. *Baldwin's* be hereafter brought on the Carpet, your *good Manners* to the High Bailiff at that Time, might be opposed as an irrefragable Proof of the Falshood of it; and accordingly we find it opposed by you as such; for you say, " This Circumstance " alone is sufficient to turn the Scale entirely " in Favour of Mr. *Murray's* Innocence."

The next Witness produced against you declared,

" That he saw Mr. *Murray* at the Head of
 " a great Mob, who meeting a Chimney-
 " Sweeper, asked him who he was for?
 " The Chimney-Sweeper answering for
 " Sir George — Mr. *Murray* replied —
 " Then you are an honest Fellow, but
 " Lord *Trentham* and the High Bailiff
 " are two great Villains, or two great
 " damned Villains and Rascals."

After diverting yourself a little with the Evidence, you take Occasion to make a Transition to the representative Body of this Kingdom before whom it was delivered, and whom you ridicule with great Pleasantry and good Manners; and after strongly insinuating that every Syllable of this Deposition is false, you ask with an Air of Triumph, which you will find it I believe no very easy Matter to main-

maintain, " Even admitting it had the Sanction of Truth to enforce it, what Matter it affords for the Cognizance of this Judicature? especially as it is allowed to have passed long after the Declaration was made?" To this I reply: *First*, It is a manifest Insult on a Gentleman employed in the Business of the honourable House, and therefore deservedly claiming their Animadversion. — Nor will it be of Service to you to pretend, that this Insult was committed subsequent to the Return, or after their Business was compleated, and therefore not subject to their Cognizance. The Conclusion is by no Means fair, as will appear from the following Instance: A Person who either from the Apprehension of Arrest for Debt, or of any other Penalty, which he is conscious he has legally incurred, confines himself to his Apartment; this Person is nevertheless summoned to appear at the Bar of the House of Commons, to give in Evidence in a Cause depending before them; but as in this Case, the Person so summoned, would without due Care being taken for that Purpose, be exposed to much Inconvenience, it is provided, and with great Justice, that he shall be protected not only while before, but in his Way to, and in his Return from the House, from all Lett and Molestation whatever; and if any should be offered to him, it shall be punished with the utmost Rigour.

Rigour. And why? Because he is at that Time considered, and in Fact is as much engaged in the Business of the House, as while he is giving his Deposition to them: And surely, if this august Assembly in Virtue of the Respect and Veneration conceded to it by every Age since its first Establishment, shall be able to supersede the very Laws in Favour of those employed in its Service, shall it be too feeble to defend its Officers from an unlawful Abuse? or at least to animadvert very severely on the Authors of it? Would not this be throwing down effectually all the Fences of Authority and Privilege, for such wise Ends planted round it, and reducing it to a Level with, nay, below the most inferior Court of Judicature in these Kingdoms. Secondly, The Matter given by this Evidence merited the Cognizance of this House, as it contained the Account of an Indignity offered to a Member of it, and consequently was an open and avowed Breach of Privilege. As to what you mutter concerning *personal Explanation* and *private Resentment*, all I shall reply to it is, that even had not Lord *Trentham* been restrained by unsurmountable Considerations, from calling you to Account for your Behaviour, he must yet have reflected, that Person who could so far forget what he owed to his Birth, to his Education, and to his Rank in Life, as to descend to such

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Obloquy and *Billingsgate*, to such *Quibble* and Chicanery, “as the most contemptible legal Pettifogger would blush to be guilty of,” would but contaminate the Sword of a Man of Honour.

The next Evidence produced declared, “That passing along *Henrietta-Street* at the same Time the High Bailiff was going to the *Cross-Keys*, he heard somebody behind him say, is there nobody will knock the Dog’s Brains out? when clapping the High Bailiff’s Footman on the Shoulder, he told him, that is he who spoke those terrible Words, and then the Footman informed him, that Person’s Name was *Murray*.”

As this Accusation is too peremptory to be denied with any Prospect of Success, and the Matter contained in it of a Nature too atrocious for the most palliating Insinuation to represent as inoffensive, you have Recourse agreeably to your usual Practices in the like Emergencies, to Banter and Ridicule, hoping by that Means to puzzle the Understandings, or at least to divert the Attention of your Readers. “What a *Janus-headed* Witness, say you, is here, who from hearing Words uttered behind him in a Croud, could identify the Per-

“son that spoke them?” But is there any Thing more easy? Admitting that he was ignorant of your Name, does it therefore follow that he was unacquainted with your Voice? By no Means, he had seen you frequently; he had heard you in Discourse as often; and therefore when the *Exclamation* against the High Bailiff passed your Lips, it was no difficult Matter to point out precisely the Person of him that uttered it; nor did it require any *Degree of Inspiration* to distinguish the particular Object of this *Exclamation*; many attendant Circumstances might, or rather indeed must, unavoidably place it beyond any Possibility of Dispute; but it is tedious to dwell any longer on such flimsy Artifices. They sufficiently expose themselves: But you go on — “But were
 “it possible to pay any Regard to such
 “inconsistent Evidence; still the Com-
 “mission of this horrid Offence must have
 “been at least two Hours after all Business
 “relating to the *Sanctum Sanctorum* of St.
 “Stephen’s Chapel was finished, consequent-
 “ly subject to the Notice of some less fa-
 “cred Tribunal.” This Subterfuge I have
 fully spoken to above, and therefore shall
 add nothing in this Place to what is there
 advanced.

How “far the Matter contained in these
 “two last Articles of Impeachment,” may
 par-

partake of the ridiculous, must be left to your Readers to determine. In the mean time it will not at all lessen the Credibility of the Witnesses that are destitute of the Titles, or want the Advantages of Education which the noble Persons that appeared in your Vindication, are so *eminently* possessed of. If their private Character is irreproachable, and I do not find you attempt to fasten the least Aspersions on it, it will be universally allowed, that Men, even lower in Life than they, may yet be as competent Judges of the Objects of Sense, and the Reports they made of them will gain an equal Credit with those delivered by Persons of the highest Elevation; and that a *Tripe-man* or *Journey-man Button-trimmer* may have as strong Principles of Honour, at least of Honesty, as ever a *noble Lord*, *honourable Baronet*, or *worthy Barrister* in the Kingdom. — But before we give too implicit a Credit to their Testimony, let us consider fairly and candidly what is offered on the other Side, to invalidate it: And first Lord *Carpenter* appears, “ who was pleased to declare at the “ Bar, that his Lordship and Mr. *Murray* “ were together from the Time the Declaration was made till Dinner; that they “ were in *Bedford-street*, where this great “ Mob was by the *Button-trimmer* said to “ be assembled, but never heard Mr. *Murray* “ say any Thing scandalous of Lord
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“ *Trentham* to a *Chimney-sweeper* or any
 “ other Person whatever. His Lordship
 “ further said, that he was Arm in Arm
 “ with Mr. *Murray* when the High Bailiff
 “ passed close by them through the Church-
 “ yard to the *Cross-Keys* (which was near
 “ two Hours after the Declaration) but that
 “ he never heard Mr. *Murray* utter the
 “ Exclamation laid to his Charge by the
 “ *Tripe-man*, and that if he had made use
 “ of any such Expressions, apprehended
 “ they could not have passed *unnoticed* by
 “ him; that so far from inciting the People
 “ to knock the High Bailiff’s Brains out, his
 “ Lordship declared, Mr. *Murray* advised
 “ them, *to leave him to the Remorse of his*
 “ *own Conscience, assuring them*, that would
 “ be a more severe Punishment than any
 “ they could inflict.” — To this I beg
 Leave to remark, that the noble Lord’s De-
 claration is open to the same Charge of In-
 competence which we have brought against
 Mr. *Gascoigne’s* and Mr. *Carne’s*; and at
 best, is no more than presumptive Evidence,
 and how far that is to be admitted against
 positive Proof, I leave even yourself to de-
 termine. With regard to the former Part
 give me leave briefly to observe, that in order
 to have disculpated you of the Offence laid
 to your Charge by the former of these Wit-
 nesses, his Lordship should have declared
 peremptorily, that you did not make use of
 those

those injurious Expressions either against Lord *Trentham* or the High Bailiff, which were imputed to you by his Witnesses: An Assertion so express could not have wanted Weight: But as it is, nothing can be more trifling and evasive; for though we should grant, which however we have not the least Warrant to do, that you threw out no Reflection against that noble Personage, the Accusation brought against you for Maltreatment of the High Bailiff is even by your own Evidence tacitly at least granted.

— The Attestations of the two other Gentlemen are not only so very immaterial, but so contradictory and repugnant to each other, and even to themselves, that I shall decline entering into any Observations on them. In the following Paragraph you declare, “ that the Reason of Lord *Carpenter*’s and your staying so long, was to use your Endeavours to prevent any Insult being offered to the High Bailiff;” but as this is a meer *gratis dictum* unsupported by any Authority, and diametrically opposite to your Behaviour all along, you must not be surprized, if it obtains not that ready Currency you may desire.

The last Person that appears against you is Mr. *Pond*, who, to use your own Phrase, alarmed the House by declaring,

“ That

“ That he heard Mr. *Murray* say in the
 “ *Mount Coffee-House* some Days after
 “ the Declaration was made, that if his
 “ Advice had been taken, and the Rails
 “ of the Portico cut down, the High
 “ Bailiff durst not have returned Lord
 “ *Trentham.*”

With regard to your ungentleman-like
 Treatment of this Evidence I shall barely
 observe, that nothing is a greater Indication
 of the Badness of your Cause than the scan-
 dalous and illiberal Methods you have Re-
 course to for its Support: Had you any
 Thing material to urge against the Cha-
 racter of this Person, any Thing that would
 have reasonably rendered his Testimony sus-
 pected, you should have produced it at that
 Bar before which it was delivered; and
 without all doubt, had it been in your
 Power, you would have done so. To what
 then can we impute this After-game of
 Abuse, that wretched Torrent of personal
 Invektive which you now so plentifully
 throw forth, but to a determined Resolution
 of Revenge, though attained at the Expence
 of Truth, Honour, and every other Principle
 that should warm the Breast of a Gentle-
 man? With respect to the Facts of which
 you are arraigned, your Behaviour is equally
 disingenuous and uncandid: As you can not
 confute, you are willing to perplex. Raillery is
 to

to supply the Want of Argument, and Wit-
 ticism to take the Place of Reason. — You
 say ironically: “ But how atrocious the
 “ Matter contained in this Accusation, to
 “ suppose (so long after) that *to have hap-*
 “ *pened which did not happen*, certainly justi-
 “ fies the Extremity of Punishment, as the
 “ *Supposition* of a Fact is doubtless more
 “ criminal than the *Execution* of it. But
 you grossly mistake the Case: Give me
 Leave to state it for you: The Return of a
 Member to Parliament was delayed, the
 High Bailiff as has been observed, was com-
 plained on for that Delay: In order to dis-
 culpate himself of this Charge, he preferred
 an Accusation against you for obstructing
 him in the Execution of his Office, and by
 consequence of being the Cause of that De-
 lay: To support this Accusation several Wit-
 nesses were summoned; the Particulars of
 their Attestations we have already considered;
 and should we allow, which however I am
 far from doing, that though they clearly and
 fully prove on you the Infraction on the
 Privileges of the House of Commons, yet as
 the Matter contained in them chiefly regards
 what was subsequent to the Declaration, it
 was insufficient to convict you of the par-
 ticular Offence imputed to you by the High
 Bailiff; should this I say be taken for
 granted, yet, than the Evidence of Mr. Pond
 nothing certainly can be more express, or to
 the

the Purpose: It convicts you, and that out of your own Mouth of intending, and in consequence of that Intention, actually advising the Rails of the Portico to be cut down, in view of compelling that Magistrate to make an undue Return. But you ask, "Whether the bare Intimation that he was the Adviser of such a curious Stratagem" could be sufficient to condemn him; "when it does not appear that he ever actually gave this Advice to any Person whatever, or that the least Attempt was made in consequence of it?" To this I answer, that had the Case been as you have stated it, you had without all question, never been condemned; but the contrary appeared clearly in the Course of the Examination; nay, I myself have been informed by Persons of indubitable Credit, that you declared more than once, that *cutting down the Rails* was the sole Expedient that remained for obtaining a *favourable* Return: And it is notorious that a Report universally prevailed, that this Menace would have been executed. But you will say perhaps, the Non-Execution of it is a sufficient Proof that this Report was false; but this by no Means follows: A cool and after Reflection could not but suggest such Dangers and Difficulties in the Completion, as I would deter a Man of the most boisterous and immoderate Resolution from attempting it. But then shall

a Person be punished for a Crime which he did not commit, nor even attempt to commit? But if this Crime was advised, if any ill Effects followed from this Advice, and if the Person who gave this Advice was withheld from committing it by Consideration only of his own Safety, or any other personal Reasons, Equity surely, exacts from those who are intrusted with the Execution of her Laws, that *such a Person* shall not escape unnoticed: And these I take to be exactly the Circumstances of your Case. You advised that the Rails should be cut down, the High Shiliff heard of it, and from your Behaviour all along, had very sufficient Cause to give Credit to it, and by consequence might well complain, that you obstructed him in the Execution of his Office: Nor could the Legislature have disregarded that Complaint without violating the Regard to Justice, and their own Honour and Dignity, which they are by such indissoluble Ties bound to maintain. Whence then have you the Effrontery to declare in open Opposition to known Matter of Fact, “ That though
 “ an Overt-Act is required to the Conviction
 “ of a Person for *High Treason* against the
 “ King himself, yet no such legal Nicety
 “ is thought necessary to constitute a *Læsa*
 “ *Majestas* against the *honourable House*.”
 But the Man who on any Prospects, can suffer himself to act like you, like you will

not hesitate to use any Means how false or infamous soever, for his Justification. But alas! he will use them with little Effect; for such gross Misrepresentations can impose on none but the meanest and most undistinguishing of the Rabble. Thus then it appears I think, to Demonstration, that the Penalties inflicted on you were strictly just, if Penalties inferior to the Demerits of the Culprit will warrant that Expression: What then ought to have been your Demeanour under them? An Acknowledgment of the Lenity of that Hand that inflicted them, and a thorough Concern and sincere Submission for your Offence: But instead of this, you wickedly and impudently labour to have it thought, that the Proceedings against you were not only founded in *Injustice and Oppression*, but were also imbibtered by *mortifying Circumstances of Cruelty*. And pray what are they? Speak out: "Why Mr. *Murray* must receive his Sentence on his Knees." Now not to insist how fit and decent it is, that a Criminal should pay those external Marks of Submission at least to the Court before which he stands convicted; not to insist on this I say, it is notorious, that have been Time immemorial exacted from such as have been found guilty of a Breach of Privilege against the honourable House of Commons; nor is there but one Instance on the Journals of that House, where they have been

been dispensed with, and that during the Usurpation of *Oliver Cromwell*. An Instance which if it will be of any Service to you, you are free to make use of. Nay further, there is a Punishment tantamount to and nearly as severe as that of pressing, provided for those who shall deny to plead to their Indictment, appropriated to such as shall refuse this Submission. This I positively aver, and it lies on you to disprove me.

What Foundation have you then to complain of the Severity of your Punishment, since it is equally evident and certain, that it was far less severe than your Offences merited, or than has actually been executed on those who have been guilty of the like? That it was not still lighter, or that it was protracted to such a Length, is imputable to your own Obstinacy only: Had you given the same Marks of Penitence, you had without doubt experienced the same Lenity that was exercised to your Fellow-culprits. But is it fit that a *British* Senate should so far forego their Dignity, as to make Advances of Mercy to an insolent Offender who perseveres in his Contumacy, defies their Power, and makes a Mock of their Authority? You cannot think it; you dare not say it: Though indeed you have convinced the World there are few Things but what you dare. Who but Mr. *Murray* could have been base or impudent enough to have infi-

quated what was so notoriously false, that
 “ though he was in a violent Fever, yet he
 “ was by the peremptory Orders of the
 “ House, denied the Assistance of an Apo-
 “ thecary or Surgeon, a Benefit which was
 “ never refused the most flagitious Of-
 “ fenders?” The House indeed, had or-
 dered that no Person should be permitted to
 visit you. A small Part of the Penalties men-
 tioned above to have been appointed for such
 as should behave in that audacious and re-
 fractory Manner that you have done: But
 when this Order was made, you neither did,
 nor pretended to labour under any Indisposi-
 tion, and therefore it cannot with the least
 Colour of Truth be said to have been made
 with a View of depriving you of the Benefit
 of a Physician, which at that Time it was
 impossible to know you would have Need
 of. And what is an unquestionable Proof
 of this is, that upon the House being made
 acquainted with your Illness, they immedi-
 ately ordered, that Dr. *Lamont* should
 attend you, and that you should receive
 every Accommodation the Place wherein
 you was confined was capable of affording
 you; nay further, upon that Gentleman’s
 Representation that your Life was actually in
 Danger, unless you was removed where you
 could have the Benefit of the Air, &c. the
 House readily issued out a Warrant for your
 Removal: Such an Instance of Mercy one
 would

would imagine could not have been misconstrued; but what is it an Heart like your's is incapable of? Your Behaviour on this Occasion is so perfectly *generous*, so *every Way* *worthy* Mr. *Murray*, that I cannot but bestow some few particular Comments on it.

" About the Middle of *April*, you say,
 " Mr *Murray* was again seized in such a
 " Manner, that his Attendant or rather
 " Guardian who had been tried for his Life,
 " and whose Employment consisted in locking up the Convicts in their Cells, (an
 " Occupation not very apt to inspire the
 " tenderest Sentiments) yet I say, even this
 " very Fellow was so melted with Pity and
 " Compassion, to behold Mr. *Murray's*
 " Agonies, occasioned by an Inflammation
 " in his Bowels, that he would not stir
 " from him that Night. Lord *Elibank* calling next Morning to enquire after his Brother's Health, our *Presi-yard* Valet expressed his Apprehensions that he could not live; but being informed the Doctor had been there as soon as the Prison Gates were opened, his Lordship immediately went to him, and requested he would acquaint the *House* with his Brother's imminent Danger.

" Upon Dr. *Lamont's* Representation,
 " Mr. *Palmer*, Deputy Serjeant, attended
 " by a Messenger, came to *Newgate* in the
 " Evening, with an Order to move Mr.

Murray

“ *Murray* directly. At their Entrance they
 “ found him upon the Bed, and the Sheets
 “ which had been soaked through reeking
 “ at the Fire. Mr. *Murray* enquired of
 “ Mr. *Palmer* the Reason of so sudden a
 “ Resolution? Who replied, it was owing
 “ to the Physician’s Information, of his
 “ Danger, and that the House from its
 “ wonted Humanity, had ordered him to
 “ be carried to a Messenger’s: And surely
 “ removing a Person from *Newgate* to
 “ *Westminster*, with an Inflammation in his
 “ Bowels and in an high Fever, must be
 “ allowed a very *extraordinary Act of Hu-*
 “ *manity*. However the Force of Mr. *Pal-*
 “ *mer*’s Rhetorick was not sufficient to pre-
 “ vail on Mr. *Murray* to be of that Opi-
 “ nion, who absolutely refused to accept of
 “ this *unmerciful Mercy*; though there is
 “ Reason to believe, his Refusal would have
 “ availed him but little, had not his Phy-
 “ sician who chanced to be present, declared,
 “ his Opinion that a Removal would be at-
 “ tended with certain Death.” Never sure-
 ly, were such a Number of Inconsistencies
 heaped together within the Compass of so
 few Lines; but such is your Rage of Ca-
 lumny, and such your Methods of conduct-
 ing it, that I know not whether to be most
 surprized at, the *Weakness* of your Head, or
 the *Wickedness* of your Heart. Give me
 Leave however, by Way of Reply, to offer
 these

these few following Queries to your sober and serious Examination, and if you answer them to the Satisfaction of the impartial and unbiaſſed Part of our Readers, I will from henceforward not only never take up the Pen, but retract every Line I have written to you in this Address.—If your Situation was ſuch that you could not be removed but at the Peril of your Life, how came Dr. *Lamont* not to be ſenſible of it? Or if he was ſenſible of it, why did he make Application for your Removal, and give it as his Opinion at the Bar of the Houſe, that it was the only Means of *ſaving* your Life? And if the Houſe in conſequence of this Application, immediately reſolved that you ſhould be removed, who but the moſt abandoned of Mankind would impute it to any Thing but the moſt humane and merciful Diſpoſition? How was it poſſible, or rather was it not impoſſible, that they ſhould know that your Removal would be attended with certain Death, ſince at that Time it appears, that it was unknown and even unſuſpected by your very Phyſician? And yet you would inſinuate this to be the Caſe, baſe and unworthy as you are.—At length however, the real Truth of this mighty Fineſſe tranſpires in ſpite of all your earneſt Endeavours to conceal it. “ Upon Mr. *Murray*’s aſking Mr. “ *Palmer* it ſeems, what the Houſe intend-
 “ ed to do with him at the Meſſenger’s, he
 “ an-

“ answered, to confine him there till his
 “ Recovery, but that nobody was to be ad-
 “ mitted to him ; and if he did not then
 “ make his Submission upon his Knees, he
 “ would be remanded back to *Newgate*.
 “ As the ten Weeks severe Sufferings had
 “ not been able to convince Mr. *Murray* of
 “ the Heinousness of his Offence, he re-
 “ plied, that he would not consent to it
 “ upon such Terms, and that he would
 “ rather die ten thousand Deaths than vio-
 “ late his Conscience by a Confession of
 “ Guilt, and by a scandalous Submission
 “ give a Sanction to Proceedings so mani-
 “ festly founded on Oppression and In-
 “ justice.” So then it seems good Sir, that
 it was not from your Incapacity of being re-
 moved, but from your Disapprobation of
 the *Terms* upon which you were to be re-
 moved, that you refused to consent to it ;
 which is I think, an ample Acknowledg-
 ment that your Indisposition was not so very
desperate as you have endeavoured to per-
 suade us, and of course that the Insinuations
 against the *Inhumanity* of the House of
 Commons, which you have so diligently la-
 boured above, are but so many meer Words
 without any determinate Meaning. — For if
 you was capable of being removed, the Or-
 der of the House for your Removal, was an
 Act of Favour, certainly it could not be calcu-
 lated as you suggest, to distress you still
 farther.

farther. And what were the Terms on which you were to be removed? Why, that you should receive every Assistance you could possibly need, but only was not to be set at Liberty till you had by a due Submission, given Marks of Contrition for your Offence. And pray Sir, could any milder Terms have been offered but with the highest Injustice, and in Derogation of the Honour and Dignity of the honourable House. Your Illness indeed, might require a purer Air, and such other Accommodations as you could not be supplied with where you was: These then were readily granted you. But could it require an entire Enlargement? or if it did, why did you not submit to those Terms on which alone it could be indulged to you? Why, you tell us, that you could not make a Confession of Guilt without violating your Conscience, for you was not yet convinced of the Heinousness of your Offence. By this Way of Reasoning, Obstinacy in Vice would usurp the Name of Virtue; and let a Person be ever so great an Offender, if he can but lull his Conscience asleep, and persuade himself that he is innocent, he may fly in the Face of Authority, and it shall be not only excusable, but meritorious. A Doctrine so evidently pernicious, needs only to be produced, to be exploded; such Poison carries its Antidote along with it.

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You next complain, that upon your declaring your Intentions of applying for your *Habeas Corpus*, there was no one Professor of the Law of any Eminence that would engage in the Cause of so *obnoxious* a Client, lest they should incur the Displeasure of the House of Commons, whom you are pleased to dignify with the Title of the *British* In — n. But can we suppose, that had your Plea been good, no one Person among that numerous Body should have been found honest and intrepid enough to have supported it? or should we not rather conclude, especially when we consider the Decision of the Judges, it appeared so notoriously bad, that there was no Prospect of succeeding in it? Nay, did not the Gentlemen you applied to, fairly acquaint you that it was so? — At last however, one *honourable* Person stood boldly forth in your Defence; but alas! *all that glowing Spirit of British Freedom and convincing Power of Argument with which his Motion was made*, could not invest the Court, where it was delivered, with a larger Share of Power than what was by the Constitution allotted to it; and had *Demosthenes* himself appeared in your Cause, the House of Commons would still have remained a superior Court of Judicature to the King's Bench. Or should we for Argument-Sake admit the contrary, and that in Cases of an ordinary Nature an Appeal may lie from the Decisions of
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of this House to another Court; yet surely, the very Reason of the Thing demonstrates, that where its own Privileges are concerned, as no other *Body* can be supposed to be so well acquainted with the Nature and Extent of them, so neither can any punish the Violation of them but themselves, much less reverse any Penalties they shall have inflicted on the Violators. Can then a legal Sentence against an insolent Offender merit the Name of a *tyrannical Act of Oppression*? or shall the Court that pronounces it be said for that Reason to become rather a *Turkish Divan* than a *British Representative*? Is a Proceedure like this to be called an Infringement on that *Palladium of British Liberty*, the *Habeas Corpus Act*? Infamous Assertion! Unparrelled Falshood! But not only Reason but Precedent is against you: Give me Leave to produce one Instance from many, of the Sense of Parliament in a similar Case, from the Annals of the Reign of *Queen Anne*, and the rather, as the Persons concerned are those whose Characters you have so industriously laboured to exalt. The Men of *Aylesbury* thinking themselves aggrieved in a certain Election, presented a Petition to Parliament, complaining of an undue Return: The Merits of it were heard and the Decision of the House went against them: Upon this they brought an Action against the returning Officer in the Court of King's Bench, for an

Invasion on their Property in refusing to admit them to poll: The News of this reached the House of Commons, who sent down immediately a Serjeant at Arms with an *Order* to the Court to stop all further Proceedings, and that the Matter in Dispute should be laid before them: The Issue of which was, that their former Sentence was confirmed, the returning Officer acquitted honourably, and the Claimants condemned to close Confinement for a notorious Breach of Privilege, in removing to an *inferior* Court a Cause on which they had already definitively determined. They then, to use your Phrase, appealed from the Violence of Power to the Protection of Law, and claimed the Benefit of the *Habeas Corpus* Act, which however, after several long and learned Debates was refused them by the Judges of that Court to which they applied; and though the Queen in Consideration that several very favourable Circumstances appeared on their Side, such as you can by no Means pretend to, signed their *Habeas Corpus* herself; yet the House of Commons deemed it so high an Invasion and Violation of the Privileges of Parliament, and such an unwarrantable Obstruction of Justice, that they addressed her Majesty, to know by whose Advice she had acted in that Matter.

I have now gone through with what I proposed; and have I think, clearly detected
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the many Fallacies and Misrepresentations which you have imposed on the Public in the Piece you have lately given them under the Title of the State of your Case; with what Propriety be you yourself Judge: A Piece wherein you so laudably endeavour to disturb the Peace and Tranquillity of the Community, scatter Disaffection and Sedition among the People, and as much as in you lies incite them to Rebellion. Against such daring Attempts it behoves all who have any Concern for the Welfare of their Country, any Gratitude to the best of Princes, any Sense of Duty to their Representatives, or indeed any Regard to what they owe themselves, their Families, and their Posterity, to exert themselves with Unanimity and Vigour. And as all that I have advanced, has arisen from those Principles alone, if it serves to undeceive any one Person on whom you may have imposed, and discover to him the Malignity and Baseness of your Intentions, I shall think myself abundantly recompenced. In the mean time I am, as much I ought to be

Sir,

Your's, &c.

July 27, 1751.

BRITANNICUS.

Errat. Page 10. Line 5. for *riper* read *rifer*. P. 23.
l. 28. *dele* of. P. 24. l. 4. for *opposite* r. *apposite*.

My dear Sir,
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the late Mr. [Name] and to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Yours, &c.



Yours, &c.
[Signature]